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<b>AMENDMENT 37 C.F.R. 1.111</b>  Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	CELL-014
	First Named Inventor	D.C. Yu
	Application Number	09/392,822
	Filing Date	September 9, 1999
	Group Art Unit	1632
	Examiner Name	J. Weitach
	Title: <i>Adenovirus Vectors containing Cell Status-Specific Response Elements and Methods of Use thereof</i>	

Sir:

This amendment is responsive to the Office Action dated November 26, 2002, which set a three-month period for response.

Please amend the application as follows:

IN THE CLAIMS

Please replace the pending claims with the correspondingly numbered claims below. Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment; captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

1. (amended) A replication-competent adenovirus vector for selective cytolysis of a target cell comprising,  
 a hypoxia responsive element (HRE) operably linked to an adenovirus gene essential for replication selected from the group consisting of E1A, E1B and E4, wherein said HRE comprises a binding site for hypoxia inducible factor-1.

24. (amended) A composition comprising:  
 a replication-competent adenovirus vector for selective cytolysis of a target cell comprising a hypoxia responsive element (HRE) operably linked to an adenovirus gene essential for replication selected from the group consisting of E1A, E1B and E4, wherein said HRE comprises a binding site for hypoxia inducible factor-1; and a pharmaceutically acceptable excipient.

11 The transcriptional regulatory element  
 120 HRE hypoxia

## TRANSMISSION VERIFICATION REPORT

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## FACSIMILE TRANSMITTAL SHEET

TO: EXAMINER WOITACH

FROM: LINDA R. JUDGE

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COMPANY: USPTO ART UNIT 1632

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PHONE NUMBER: (703) 305-3732

SENDER'S REF NUMBER: 09/392,822

RE: DRAFT AMENDMENT FOR  
DISCUSSION AT INTERVIEW

YOUR REFERENCE NUMBER:

Dear Examiner Woitach:

Attached is a draft amendment and summary of the pending claims for purposes of discussion at the interview scheduled for Tuesday March 4, 2003 at 10:30 AM.

Please give me a call if you have any questions.

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Best regards,

Linda R Judge

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